

NRIs can't file vague police reports in India: court

The Delhi High Court has said that NRIs cannot file 'vague' criminal complaints in India to settle scores with their relatives after losing a case in their country of residence.

While quashing a complaint against Kanchan Gulati by her divorced daughter-in-law, Justice S N Dhingra said: 'The court should exercise its discretion. Criminal law cannot be allowed to settle the personal score of a complainant who lost her case in a US court.'

Quashing the complaint of Anuja Gulati, the court said: 'She lodged the complaint to settle her personal score. The complainant was not in India, where her mother-in-law was staying, during the period between 1993-2002.'

Anuja, the former wife of Anuranjan Gulati, a computer engineer based in Milwaukee, had filed an FIR with the Delhi Police alleging that her in-laws were torturing her and not returning her property and dowry that was in joint names.

Anuja lost a divorce case filed in the US and has been legally separated from her husband since 1999.

'This is not a case where she had not submitted to the jurisdiction of the US court or the court had no jurisdiction. Once a competent court has passed an order in respect of return or exchange of dowry articles, no offence can be tried for the same articles in India,' Dhingra said in an order pronounced earlier in the week but has only now been made public.

Anuja was married to her US-based NRI husband in 1993 and went with him to America, where she alleged that her husband used to harass her. The husband filed for divorce in a US court five years after their marriage and the wedding was dissolved in 1999.

The court observed that during the period, the mother-in-law neither stayed in the US with Anuja nor in New Delhi. The complaint did not have any basis and was not substantiated by any evidence, the court observed.

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